
Public Utilities Commission of the State of California

Public Agenda 3236

Thursday, June 18, 2009 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn

Rachelle B. Chong

Dian M. Grueneich

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, July 06, 2009 (San Francisco)	Thursday, June 18, 2009 (San Francisco,)
Monday, July 27, 2009 (San Francisco)	Thursday, July 09, 2009 (San Francisco)
Monday, August 17, 2009 (San Francisco)	Thursday, July 30, 2009 (San Francisco)
Friday, September 04, 2009 (San Francisco)	Thursday, August 20, 2009 (San Francisco)
Monday, September 21, 2009 (San Francisco)	Thursday, September 10, 2009 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 9, 16, 29, 30, 32

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

1

Res ALJ 176-3236

[8592]

Ratification of preliminary determination of category for proceedings initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385521

2

A09-02-021 - Telenational Communications, Inc., Rapid Link, Incorporated, and Apex Acquisitions, Inc. (Collectively, Applicants).

[8433]

This decision prospectively authorizes transfer of control of Telenational Communications, Inc. from Apex Communications, Inc. to Rapid Link, Incorporated, and imposes a \$1,000 fine for late filing. This proceeding is closed.

(Comr Chong - ALJ Darling)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387176

Consent Agenda - Orders and Resolutions (continued)

3 **A08-01-023 - California-American Water Company Monterey Wastewater District**
[8450] **2009-2011 Rates.****PROPOSED OUTCOME:**

(1) Approves a settlement agreement and sets aside consolidation with other proceedings. The settlement agreement changes monthly wastewater rates to \$48.78 for four wastewater systems that use relatively inexpensive treatment processes; for four other systems that use more complex treatment processes the rates are increased to \$107.81 per month.

(2) Closes the proceeding.

ESTIMATED COST: The 2009 wastewater revenue requirement is increased by \$1,316,600 (a 77.4% increase).

(Comr Bohn - ALJ Bushey)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365819

4 (Rev.) **Res W-4759 - Del Oro Water Company, River Island District (DORI).**
[8468]

This resolution authorizes a general rate increase for DORI producing annual revenues of \$159,127 or 67.5% in 2009.

Agenda 3233, Item 16 5/7/2009 (Staff);

Agenda 3234, Item 6 5/21/2009 (Staff)

06/17/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386789

5 **R06-02-013 - Order Instituting Rulemaking to integrate procurement policies and consider**
[8474] **long-term procurement plans.**

This decision (D) declines to modify D07-12-052 defining the inclusion of qualified facilities in the Long Term Procurement Planning process as only a “planning assumption.” The Commission believes planning is a preliminary step before actual procurement of energy. No one energy source is only included as a planning assumption. There is a presumption that including qualified facilities in the planning process will result in procuring energy and capacity from qualified facilities. This proceeding is closed.

(Comr Peevey - ALJ Long)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3234, Item 14 5/21/2009 (Staff);

Agenda 3235, Item 2 6/4/2009 (Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385923

Consent Agenda - Orders and Resolutions (continued)

- 6**
[8476] **Res W-4762 - Dunnigan Water Works (DWW).**
This resolution authorizes general rate increases for DWW producing additional annual revenues of \$37,795 or 87% in water revenues and \$27,112 or 43.46% in sewer revenues for test year 2008.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3234, Item 15 5/21/2009 (Staff);
Agenda 3235, Item 3 6/4/2009 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386155
- 7**
[8525] **Res W-4764 - East Pasadena Water Company (East Pasadena).**
This resolution authorizes East Pasadena a general rate increase, producing an increase of \$398,281 or 22.15% in test year 2009.
Agenda 3234, Item 23 5/21/2009 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386677
- 8**
[8547] **Res E-4248 - Southern California Edison Company (SCE).**
This resolution approves without modification SCE's request for approval of a renewable portfolio standard power purchase agreement with Mountain View Power Partners, LLC. (Advice Letter (AL) 2306-E filed, December 31, 2008 and AL 2306-E-A filed, April 8, 2009)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386163
- 9**
[8550] **C07-08-027 - Modesto Irrigation District (Complainant) vs Pacific Gas and Electric Company (Defendant).**
This decision adopts a settlement between the Complainant and the Defendant that resolves Modesto Irrigation District's complaint that the Defendant improperly provides service to customers under Schedule E-31. This proceeding is closed.
(Comr Grueneich - ALJ O'Donnell)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=383746
- 10**
[8552] **Res T-17205 - Siskiyou Telephone Company.**
This resolution authorizes disbursement of California High Cost Fund-A funds for California Environmental Quality Act review of the Godfrey Ranch Line Extension Grant Project located in the service area of the Siskiyou Telephone Company.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387043

Consent Agenda - Orders and Resolutions (continued)**11 Res E-4244 - Southern California Edison Company (SCE).**

[8553]

This resolution approves without modification SCE's request for approval of a renewable resource procurement contract with Puget Sound Energy, Inc. (Advice Letter (AL) 2319-E filed, February 9, 2009 and AL 2319-E-A filed, May 11, 2009)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387132

12 A08-05-022 - Pacific Gas and Electric Company.

[8554]

For approval of the 2009-11 Low Income Energy Efficiency and California Alternate Rates for Energy Programs and Budget. A08-05-024, A08-05-025, A08-05-026 - Related matters. This decision (D) clarifies and modifies D08-11-031 concerning the modified “3 Measure Minimum Rule” and One-E-App Pilot Project budget.

(Comr Grueneich - ALJ Kim)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387246

13 A08-07-009 - San Gabriel Valley Water Company.

[8555]

This decision authorizes San Gabriel Valley Water Company's request for a revenue requirement for its Fontana Water Company Division of \$6,993,900, an increase of 14.42% for the 12 months beginning July 1, 2009. Rates will be adjusted for 2010 and 2011 consistent with the existing water company rate case plan. This decision adopts a settlement agreement, with alternative terms, between San Gabriel Valley Water Company and the Commission's Division of Ratepayer Advocates addressing forecast issues, with modifications. In addition, the reasonableness review of post-2002 plant additions is addressed. This proceeding is closed.

(Comr Bohn - ALJ O'Donnell)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386483

Consent Agenda - Orders and Resolutions (continued)

14
[8557] **R08-01-025 - Order Instituting Rulemaking to consider annual revisions to local procurement obligations and refinements to the Resource Adequacy Program.**

This decision establishes local capacity procurement obligations for 2010 applicable to Commission jurisdictional electric load-serving entities. It also adopts several proposed resource adequacy program refinements, including a revision to the existing rule for counting the net qualifying capacity of intermittent resources, such as wind and solar power generation. To more accurately reflect the actual performance of those resources during peak load conditions, the Commission adopts an “exceedance” method for calculating the net qualifying capacity of these resources. This proceeding is closed.
(Comr Peevey - ALJ Wetzell)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386202

15
[8559] **Res Exec-001**

This resolution adopts with some modifications the proposals of K&L Gates to streamline the verification process currently in place for woman-, and minority suppliers who choose to do business with utilities subject to the General Order 156. Decision (D) 06-08-031 and CSID-001 revised certain rules that allow for a utility-formed entity to operate (or contract for the service) to certify businesses to supply goods and services to California’s regulated utilities. The Commission maintains oversight of the rules that govern these processes and is the venue for suppliers to appeal Clearinghouse or Joint Utility decisions. D06-08-031 and CSID-001 also reiterated certain verification and certification language in response to various utility proposals. This Resolution supersedes Resolution CSID-001 and substantially modifies the comparable agency verification policies the Commission adopted in D06-08-031.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387181

16
[8563] **(ECP) C09-01-008 - Valerie Lessley (Complainant) vs. Pacific Gas and Electric Company (Defendant).**

Complainant’s request for an order relieving her from the obligation to pay the Defendant \$1,312.31 in unpaid charges transferred to her present account is denied. This proceeding is dismissed and closed.
(Comr Grueneich - ALJ Ryerson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=383556

Consent Agenda - Orders and Resolutions (continued)

- 17** **Res G-3436**
[8565] This resolution addresses the California Energy Commission's (CEC) request for approval of its Fiscal Year 2009-2010 proposed program plan and funding request for the Natural Gas Public Interest Research Program. The CEC's request is approved with one exception, pursuant to California Public Utilities Commission Decision 04-08-010.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386679
- 18** **A09-02-018 - La Nueva Concord's Express, LLC (Applicant).**
[8570] This decision authorizes Applicant to operate as a passenger stage corporation between points in Counties of San Diego, Orange, Los Angeles, San Bernardino, Riverside, Kern, Monterey, Tulare, Fresno, Santa Clara, San Mateo, San Francisco, and Alameda; and to establish a zone of rate freedom. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=383539
- 19** **A09-04-014 - Shimelis A. Woldermariam, dba International Shuttle (Applicant).**
[8571] This decision authorizes Applicant to transfer his passenger stage corporation certificate to International Shuttle, Inc. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=381943
- 20** **A09-02-004 - Marek Sadowski, dba City Express (Applicant).**
[8572] This decision authorizes Applicant to operate as a passenger stage corporation between San Diego International Airport and other points in the City of San Diego, Los Angeles International Airport on the one hand, and points in Los Angeles, Orange, Riverside, and San Diego Counties, on the other hand; and to establish a zone of rate freedom. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=383325

Consent Agenda - Orders and Resolutions (continued)

- 21**
[8581] **Res E-4252 - Pacific Gas and Electric Company (PG&E).**
This resolution approves PG&E's Advice Letter (AL) 3371E seeking authority under Public Utilities Code Section 851 to sell certain electric facilities and associated appurtenances to St. Joseph's Hospital of Eureka. (AL 3371E filed, December 1, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384500
- 22**
[8582] **R06-02-012 - Order Extending Statutory Deadline.**
Order Instituting Rulemaking to develop additional methods to implement the California Renewables Portfolio Standard Program.
PROPOSED OUTCOME:
This decision extends the deadline to resolve the proceeding to August 28, 2009.
ESTIMATED COST: None foreseen.
(Comr Peevey - ALJ Simon)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384584
- 23**
[8583] **A09-03-030 - Decision Expanding a Certificate of Public Convenience and Necessity.**
In the Matter of the Application of TCO Network, Inc. (TCO), for a Certificate of Public Convenience and Necessity (CPCN) to provide resold Local Exchange Telecommunications Services within California.
PROPOSED OUTCOME:
(1) Modifies and expands TCO's CPCN so that it may provide resold local exchange telecommunications services within California. TCO currently has authority to provide switchless intra and inter Local Access and transport services in California.
(2) Closes the proceeding.
ESTIMATED COST:
None beyond the tariffed charges to its customers and surcharges for public purpose programs.
(Comr Chong - ALJ Galvin)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384231
- 24**
[8585] **Res W-4767 - Weimar Water Company (Weimar).**
This resolution authorizes Weimar rates for the new Timber Hills service area upon acquisition of Timber Hills Mutual Water Company and imposing record-keeping requirements. (Advice Letter 50-W filed, February 23, 2009)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384365

Consent Agenda - Orders and Resolutions (continued)**25 Res E-4247 - Pacific Gas and Electric Company (PG&E).**

[8586] This resolution approves PG&E's Advice Letter (AL) 3454-E to sell electric distribution facilities to Granite Construction Company (Granite) for a purchase price of \$68,749. The facilities include primary and secondary electric facilities that provide secondary service to Granite's mining and excavation site. Granite is located at 37400 South Bird Road in Tracy, California. This resolution has been prepared pursuant to a pilot program specified in Resolution ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (AL 3454-E filed on April 28, 2009) http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385276

26 A08-11-015 - Sacramento-Yolo Port District construction of new at-grade crossing across Channel Drive in West Sacramento.

[8587]

Application of the Sacramento-Yolo Port District to locate a railroad crossing for Union Pacific Railroad Company at 3805 Channel Drive, in the City of West Sacramento, County of Yolo.

PROPOSED OUTCOME:

- (1) Grants Sacramento-Yolo Port District authority to construct a new at-grade highway-rail crossing across Channel Drive in West Sacramento.
- (2) Closes the proceeding.

ESTIMATED COST: Discretionary project, not within scope of applicant request.

(Exam Clark)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385366

Consent Agenda - Orders and Resolutions (continued)

27 A07-04-022 - Pacific Gas and Electric Company (PG&E).

[8591]

This decision approves a settlement in the form of a Second Amendment to the 1927 contract and 1953 Supplemental Agreement under which PG&E delivers water from its Miocene Canal to California Water Service Company (CWS), which in turn uses the water to serve its customers in the Oroville District. Under the settlement, CWS will continue to pay PG&E the updated annual water price of \$152,400 that was approved in Decision 08-09-004. In addition, this price will be updated annually using the so-called CPI-U index published by the U.S. Bureau of Labor Statistics. PG&E will also pay to repair its Coal Canyon penstock, and CWS will pay to repair the Powers Canal, into which water from the Miocene Canal is delivered. CWS also agrees to facilitate the determination of how much surplus water (which the parties refer to as Conservation Water) is available along the Powers Canal for sale or transfer to third parties. As part of the settlement, PG&E and CWS agree to split the proceeds from sales or transfers of Conservation Water, with 70% of the first \$100,000 annually going to PG&E and 30% going to CWS. To the extent revenues from Conservation Water exceed \$100,000 in any year, the companies agree to split that excess evenly. The price that CWS pays PG&E for Miocene Canal water will be booked as a cost in CWS's Modified Cost Balancing Account (MCBA), and any revenues CWS receives from sales or transfers of Conservation Water will be booked as a credit to the MCBA. The revenue PG&E receives from its sales of Miocene Canal water will be booked as a credit to ratepayers in PG&E's Utility Generation Balancing Account, as will revenues PG&E receives from sales or transfers of Conservation Water. This proceeding is closed.

(Comr Simon - ALJ McKenzie)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387462

28 A09-01-003 - Grade-Separated Underpass on Ranchero Road Beneath BNSF Railway Company Railroad Tracks in the City of Hesperia, County of San Bernardino.

[8599]

PROPOSED OUTCOME:

(1) Grants the City of Hesperia authorization to construct a grade-separated highway rail-crossing of Ranchero Road beneath BNSF Railway Company's Mainline 2 railroad tracks, in the City of Hesperia, County of San Bernardino.

(2) Closes the proceeding.

ESTIMATED COST: Discretionary project, not within scope of applicant request.

(Exam Clark)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385786

Consent Agenda - Orders and Resolutions (continued)

- 29**
[8600] **(ECP) C09-01-021 - Decision Granting Partial Relief on Complaint.**
Charles Ha, Bodja Ha, Pham P. Ha (Complainants) vs. New Cingular Wireless PCS, LLC, fka AT&T Wireless Services, Inc.
PROPOSED OUTCOME:
Complainants are granted partial relief from their total bill, but are not excused from the obligation to pay \$282.30 for services received before defendant AT&T Mobility terminated their services.
ESTIMATED COST: Complainants to pay \$282.30.
(Comr Chong - ALJ Ryerson)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384889
- 30**
[8600] **C08-06-026 - Order Extending Statutory Deadline.**
Frank S. Roeth, Dave Bates, and Scott Harris, and others similarly situated vs. Chris Monet, dba Redwood Lodge Water Co., an unregulated water company.
PROPOSED OUTCOME:
Extends the 12-month statutory deadline pursuant to Public Utilities Code Sections 1701.2(d) to June 24, 2010.
ESTIMATED COST: None foreseen.
(Comr Bohn - ALJ Bushey)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386192
- 31 (Rev.)**
[8611] **R06-04-010 - Order Extending Statutory Deadline.**
Order Instituting Rulemaking to examine the Commission's post-2005 energy efficiency policies, programs, evaluation, measurement, and verification, and related issues. PROPOSED OUTCOME:
Extends the statutory deadline for resolution of this rulemaking by 60 days to August 28, 2009.
ESTIMATED COST: None foreseen.
(Comr Grueneich - ALJ Gamson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
06/17/2009 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387430

Consent Agenda - Orders and Resolutions (continued)

32 **C07-10-024 - Steven Simmons (Complainant) vs Southern California Edison Company**
[8612] **(Defendant).**

Modified Presiding Officer's Decision Denying Relief. Complainant alleges that Defendant has overcharged his account \$10,455 for electric service. Defendant denies the allegation. Complainant had sufficient load to generate the metered usage, his usage is consistent with seasonal changes, the meters are working properly, and therefore, the charges, as adjusted, are proper. Relief is denied. This addresses the Appeal received on the Presiding Officer's Decision. This proceeding is closed. (Comr Simon - ALJ Barnett)

Pub. Util. Code § 1701.2(c), allows this modified Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=382241

33 **R06-05-028 - Order Extending Statutory Deadline.**
[8613]

Order Instituting Rulemaking on the Commission's own Motion to review the telecommunications public policy programs.

PROPOSED OUTCOME: Extends the statutory deadline to August 17, 2009.

ESTIMATED COST: None foreseen.

(Comr Chong - ALJ Bushey)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385758

58 (Rev.) **R08-12-009 - Division of Ratepayer Advocates's Appeal of Quasi-legislative Categorization.**
[8615]

Order Instituting Rulemaking to consider Smart Grid Technologies pursuant to Federal Legislation and on the Commission's own Motion to actively guide policy in California's Development of a Smart Grid System. PROPOSED OUTCOME:

Denies the Division of Ratepayer Advocates appeal of the categorization of this proceeding as quasi-legislative because the proceeding will not change rates for any specific company.

ESTIMATED COST:

This decision incurs no costs.

(Comr Chong - ALJ Sullivan)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

06/15/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387375

Consent Agenda - Intervenor Compensation Orders

- 34**
[8588] **R07-11-001 - Order Instituting Rulemaking to determine issues relating to the California Utilities' procurement of natural gas supplies from liquefied natural gas sources.**
This decision awards The Utility Reform Network \$12,538 in compensation for its substantial contributions to Decision 08-10-025. This proceeding remains open to resolve pending intervenor compensation matters.
(Comr Peevey - ALJ Yacknin)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=383375
- 35**
[8601] **R08-03-008 - Compensation to A World Institute For A Sustainable Humanity for substantial contributions to Decision (D) 08-10-036.**
Order Instituting Rulemaking regarding policies, procedures and rules for the California Solar Initiative, the Self-Generation Incentive Program and other distributed generation issues.
PROPOSED OUTCOME:
Awards A World Institute For A Sustainable Humanity \$32,874.27 in compensation for its substantial contributions to D08-10-036.
ESTIMATED COST:
Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay \$32,874.27, plus interest based on their California-jurisdictional electric revenues for the 2008 calendar year.
(Comr Peevey - ALJ Duda)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=383876
- 36**
[8602] **R06-02-013 - Compensation to The Utility Reform Network for substantial contributions to Decision (D) 08-09-012 and D08-11-008.**
Order Instituting Rulemaking to integrate procurement policies and consider long-term procurement plans.
PROPOSED OUTCOME:
Awards The Utility Reform Network \$38,369 in compensation for its substantial contributions to D08-09-012 and D08-11-008.
ESTIMATED COST:
The ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay \$38,369, plus interest, based on their California-jurisdictional electric revenues for the 2007 calendar year.
(Comr Peevey - ALJ Long)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385469

Consent Agenda - Intervenor Compensation Orders (continued)**37** **R08-03-008 - Compensation to Californians for Renewable Energy for Substantial**
[8603] **Contribution to Decision (D) 08-10-036.**

Order Instituting Rulemaking regarding policies, procedures and rules for the California Solar Initiative, the Self-Generation Incentive Program and other distributed generation issues.

PROPOSED OUTCOME:

Awards Californians for Renewable Energy \$8,578.83 in compensation for its substantial contribution to D08-10-036.

ESTIMATED COST:

Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay the awarded amount of \$8,578.83, plus interest, based on their California-jurisdictional electric revenues for the 2008 calendar year.

(Comr Peevey - ALJ Duda)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384908

38 **R07-09-008 - Compensation for The Utility Reform Network for Substantial Contributions to**
[8604] **Decision (D) 08-04-039 and D08-11-060.**

Order Instituting Rulemaking to establish the California Institute for Climate Solutions.

PROPOSED OUTCOME:

(1) Awards The Utility Reform Network \$22,383 in compensation for its substantial contributions to D08-04-039 and D08-11-060.

(2) Closes the proceeding.

ESTIMATED COST:

Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay the awarded amount of \$22,838, plus interest, beginning April 14, 2009, and continuing until full payment is made.

(Comr Peevey - ALJ Darling)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385062

Regular Agenda

Regular Agenda - Energy Orders

39 A08-03-015 - Southern California Edison Company Solar Photovoltaic Program.

[8386]

PROPOSED OUTCOME:

- (1) Installation of 320 megawatts of solar photovoltaic projects on rooftops over five years in Southern California Edison Company's (Edison) service territory;
- (2) Edison will own, operate and maintain 160 MW;
- (3) Edison will seek bids for the ownership, installation, and operation of another 160 MW of solar PV rooftops from independent power producers;
- (4) Projects will be approximately 1 to 2 MW in size;
- (5) If Edison owned projects do not produce sufficient power, Edison will pay a penalty equal to replacing that amount of power.

ESTIMATED COST:

\$3.85/W installed cost target for Edison owned generation; Independent project bids capped at average cost of Edison installed projects over the life of the equipment (20 years).

(Comr Peevey - ALJ Ebke)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3232, Item 49 4/16/2009 (Staff);

Agenda 3233, Item 31 5/7/2009 (Bohn);

Agenda 3234, Item 29 5/21/2009 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385373

39a

[8564]

ALTERNATE TO ITEM 8386

A08-03-015 - Southern California Edison Company Solar Photovoltaic Program. PROPOSED OUTCOME:

- (1) Installation of 500 megawatts of solar photovoltaic projects on rooftops over five years in Southern California Edison's (Edison) service territory;
- (2) Edison will own, operate and maintain 250 MW;
- (3) Edison will seek bids for the ownership, installation, and operation of another 250 MW of solar PV rooftops from independent power producers;
- (4) Projects will be approximately 1 to 2 MW in size;
- (5) Denies requested bonus on Edison's rate of return;
- (6) Denies proposals for performance requirements and sharing of cost overruns for the utility-owned projects.

ESTIMATED COST:

\$3.85/W installed cost target for Edison owned generation; Independent project bids capped at average cost of Edison installed projects over the life of the equipment (20 years).

(Comr Bohn)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3234, Item 29a 5/21/2009 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

40

[8522]

R08-08-009 - Order Instituting Rulemaking to continue implementation and administration of California Renewables Portfolio Standard Program.**PROPOSED OUTCOME:**

- (1) Establishes a fast track procedure for review of procurement contracts of less than 10 years duration (short-term contracts) entered into by investor-owned utilities (IOUs) under the renewables portfolio standard (RPS);
- (2) Establishes price reasonableness benchmarks for short-term contracts eligible for fast-track review and for recovery of the cost in IOUs' rates;
- (3) Establishes requirements for terms and conditions of short-term contracts eligible for fast-track review;
- (4) Affirms that short-term contracts not eligible for fast-track review will continue to be reviewed using the Commission's standard procedures for RPS contracts;
- (5) Establishes methods for Commission review of reasonableness of RPS procurement contracts negotiated by IOUs outside of a competitive RPS solicitation.

ESTIMATED COST: None foreseen.

(Comr Peevey - ALJ Simon)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

Agenda 3235, Item 22 6/4/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387502**41**

[8543]

R06-04-009 - Modification of Methodology for Calculating Greenhouse Gas Emissions Performance Standard for Cogeneration Facilities.

Order Instituting Rulemaking to implement the Commission's procurement incentive framework and to examine the integration of Greenhouse Gas Emissions Standards into procurement policies.

PROPOSED OUTCOME:

- (1) Clarifies the Methodology for Calculating Greenhouse Gas Emissions Performance Standard (EPS) for Cogeneration Facilities (Conversion Method) to ensure that regulation of GHG emissions for bottoming-cycle cogeneration facilities is consistent with the overall framework of Assembly Bill 32 and the Commission's decision in Phase II of this proceeding.
- (2) Modifies D07-08-009 to state that when calculating the EPS for bottoming-cycle cogeneration, the Conversion Method shall not include the emissions associated with the industrial or commercial process, but rather, shall only include emissions associated with any supplemental firing that might occur.

ESTIMATED COST: None foreseen.

(Comr Peevey - ALJ Yip-kikugawa)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=385702

Regular Agenda - Energy Orders (continued)**42 (Rev.) R_____ - New Rulemaking on California Department of Water Resources Annual Revenue Requirement.**
[8567]

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources. PROPOSED OUTCOME:

(1) Opens a rulemaking to consider issues related to the future allocation of the allocation of the annual revenue requirement determinations of the California Department of Water Resources (DWR) and issues related to DWR's power purchase activities. The prior revenue requirement determinations of DWR were handled in Rulemaking (R) 06-07-010.

(2) Closes R06-07-010.

ESTIMATED COST: No costs to customers as a result of opening this new rulemaking and closing of R06-07-010.

06/12/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=382021

Regular Agenda - Energy Resolutions and Written Reports**43 Res E-4243 - Southern California Edison Company (SCE).**

[8518]

PROPOSED OUTCOME:

This resolution affirms a prior Executive Director's Action Resolution E-4225 findings related to SCE's proposed Moorpark-Newbury 66 kV Subtransmission line. This resolution finds that:

- (1) SCE complied with the notice requirements for the proposed construction of facilities;
- (2) The proposed facilities were exempt from Permit to Construct requirements;
- (3) Facts claimed in protests to Executive Director's Action Resolution did not support a finding that General Order 131-D exemption criteria applied;
- (4) Protests should be dismissed.

ESTIMATED COST:

Moorpark-Newbury 66kV Subtransmission Line was filed as Advice Letter 2272-E Notice of Proposed Construction Project Pursuant to General Order 131-D, therefore no cost information is provided or required for Permits to Construct.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3235, Item 25 6/4/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=381223

44 Res E-4242 - Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE).

[8520]

PROPOSED OUTCOME:

Resolution adopts, with modifications, the Qualifying Facility (QF) Standard Offer Contracts proposed by PG&E, SCE and SDG&E. Upon adoption, there will be one QF Standard Offer Contract across all three electric Investor Owned Utilities (IOUs).

The new contract may be signed by new and existing QFs with expired contracts in addition to QFs pursuing other contracting methods such as participating in an IOU's Request for Offer process or negotiating a bilateral contract.

ESTIMATED COST:

Adoption of this resolution does not imply any specific cost; however, upon adoption, the utilities may enter into contracts with new or existing QFs. These contracts will form part of the utilities' procurement costs for electricity. It is impossible to know in advance the total cost of those contracts, but in the past, QF power has represented no more than 20% of the utilities' portfolio. Contracts executed with existing QFs should not result in any additional costs as the utilities were already purchasing power from these QFs in the past. Contracts signed with new QFs will represent new incremental expenditures, but this spending will be offset by the reduced need for new generation as a result of contracting with the new QF.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3235, Item 26 6/4/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=382056

Regular Agenda - Energy Resolutions and Written Reports (continued)**45**

[8529]

Res E-4246 - Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company.**PROPOSED OUTCOME:**

- (1) Resolution implements a Market Index Formula (MIF) used in calculating Qualifying Facility (QF) payments and originally defined by the Commission in D.07-09-040;
- (2) Approves in part and rejects in part, with modification, the methodology and data sets proposed by the utilities.

ESTIMATED COST:

This resolution adopts a specific cost formula for QF contracts. Part of the formula involves utilizing future market price indices, such that the cost impact of this decision, in aggregate, is difficult to predict, either in direction or magnitude.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3235, Item 27 6/4/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386149

Regular Agenda - Communication Orders

46

[8317]

R06-05-028 - Rulemaking on the Commission's Own Motion to review the Telecommunications Public Policy Programs.

PROPOSED OUTCOME:

- (1) Background: Legislative constraints on the basic phone rate expired at the end of 2008 and the CPUC proactively implemented rate caps for 2009 and 2010 to limit any increases to protect consumers from rate shock. Beginning in 2011, state law allows basic rate to be deregulated. Without reforms, current law requires the California LifeLine rate to change based on changes to the AT&T basic rate;
- (2) Reduces the amount LifeLine customers pay for telephone service;
- (3) De-links the California LifeLine rate from the AT&T basic rate structure;
- (4) Adopts a "Specific Support" discount of 55 percent of the highest basic rate of the state's carriers of last resort, which will provide each LifeLine customer the same support amount, but adopts a minimum monthly price of \$5.00;
- (5) LifeLine customer pricing will now be the specific carrier basic rate less the California LifeLine discount. The initial California LifeLine discount will be up to \$12.20. The customer will pay the difference between the carrier's otherwise applicable basic service rate minus the California LifeLine discount (e.g. \$12.20);
- (6) Rejects "Set Price" option as this method would not comply with Moore Act which requires a 50% discount off basic rate;
- (7) Clarifies that since 2000, wireless carriers have been eligible to be reimbursed by California LifeLine for providing discounted service to customers if the carrier wants to participate in the program;
- (8) Limits extra payments to carriers for administration and eliminates extra payments for bad debt and to make-up for forgone federal support.

ESTIMATED COST:

Uncertain, parties acknowledge that without change, LifeLine fund could double in size from current \$276 million. Reforms proposed will control growth in a legally compliant manner, but cost is not able to be quantified because it depends on the possibility of future basic rate increases and the impact on the size of the LifeLine fund.

(Comr Chong - ALJ Bushey)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Agenda 3232, Item 52 4/16/2009 (Grueneich);

Agenda 3233, Item 33 5/7/2009 (Grueneich);

Agenda 3234, Item 31 5/21/2009 (Peevey);

Agenda 3235, Item 28 6/4/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=384506

Regular Agenda - Communication Orders (continued)

47 **R02-12-004 - Service Quality Standards for all Telecommunications Carriers and Revisions to General Order 133-B.**
[8482]

Order Instituting Rulemaking on the Commission's own Motion into the service quality standards for all Telecommunications Carriers and revisions to General Order 133-B. PROPOSED OUTCOME:

Adopts General Order (GO) 133-C to establish minimum service quality measures and standards for the installation, maintenance and operator answer time (business office and repair) for local exchange telephone service that:

- (1) Apply in their entirety to general rate case incumbent local exchange carriers;
- (2) Apply in part to Uniform Regulatory Framework carriers;
- (3) Exempt wireless, Voice Over Internet Protocol and IP-enabled carriers and resellers and excludes medium and large businesses from installation and answer time measures; Adopts in GO 133-C major service interruption reporting for all facilities-based certificated and registered carriers the Federal Communications Commission's significant disruption and outage reporting (Network Outage Reporting System) requirements with confidentiality protections; Requires wireless carriers to provide coverage maps on their websites and at retail locations; Relieves Pacific Bell Telephone Company from submitting out of service repair interval data under the standard established in Decision 01-12-021, but requires Pacific Bell Telephone Company to report GO 133-C and Automated Reporting Management Information System out of service data.

ESTIMATED COST:

No additional regulatory costs anticipated; compliance costs will vary by class of telephone carrier with carriers in general experiencing slightly greater compliance costs initially as they modify reporting requirements in response to positive reporting of new service quality measures and standards and eliminate or phase out other measures and reporting requirements.

(Comr Chong - ALJ Grau)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Agenda 3234, Item 32 5/21/2009 (Staff);

Agenda 3235, Item 29 6/4/2009 (Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387636

48 **R_____ - New Rulemaking on California High Cost Fund B Program.**
[8517]

Order Instituting Rulemaking Regarding Revisions to the California High Cost Fund B Program.

PROPOSED OUTCOME:

Opens new Rulemaking as successor to Rulemaking 06-06-028 to address outstanding issues concerning the reform of the California High Cost Fund B Program.

ESTIMATED COST: Unknown at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386942

Regular Agenda - Water/Sewer Orders**49**

[8534]

A08-01-027 - California-American Water Company Monterey District Rates.

A08-01-024 - Related matters.

PROPOSED OUTCOME:

- (1) Authorizes a 35% revenue increase for California-American Water Company's Monterey District and a 119% revenue increase for the Toro Service Area.
- (2) Allows over \$7 million in new tanks, over \$3 million in new mains and pipelines, and a tripled well rehabilitation program.
- (3) Disallows proposed new Carmel River wells and portion of Sand City Desalinization plant lease.
- (4) Orders reductions in unaccounted for water.
- (5) Limits General Office increases to 22%.
- (6) Approves Rate Design Settlement Agreement which eliminates summer rate discount and establishes steeply inverted tiered rates to encourage conservation.
- (7) Directs California-American Water Company to develop and implement program to restrict or prohibit the use of potable water for landscape irrigation during times of maximum system demand.
- (8) Closes proceedings A08-01-027 and A08-01-024.

ESTIMATED COST:

The 2009 revenue requirement is increased by \$10,811,000 for the Monterey District and by \$354,524 for the Toro Service Area.

(Comr Bohn - ALJ Bushey)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=382218

Regular Agenda - Legislative and Other Matters**50**

[8540]

AB 1110 (Fuentes)

This bill would modify the definition of “cogeneration” to apply more widely to fuel cell technologies. The definition would change from the term “power production” to “generation of electricity” to be more inclusive of fuel cells. The bill would also reduce the minimum thermal efficiency requirements to be considered cogeneration from 42.5% to 40%, specifically for fuel cells. (Leg Sub

Recommendation: OPPOSE UNLESS AMENDED)

Agenda 3234, Item 41 5/21/2009 (Staff);

Agenda 3235, Item 34 6/4/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386041

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

51

Conference with Legal Counsel - Applications for Rehearing

[8593]

Compilation of applications for rehearing recently filed with the Commission.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

52

A06-12-009 - Conference with Legal Counsel - Application for Rehearing

[8234]

A06-12-010, I07-02-013 - Related matters. Disposition of Applications for Rehearing of Decision (D) 08-07-046, filed by the Greenlining Institute (Greenlining), and Division of Ratepayer Advocates (DRA) and The Utility Reform Network (TURN). D08-07-046 involves the Test Year 2008 general rate cases for San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas). The Commission adopted a settlement on many of the issues.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Agenda 3228, Item 76 1/29/2009 (Staff);

Agenda 3229, Item 67 2/20/2009 (Staff);

Agenda 3230, Item 46 3/12/2009 (Staff);

Agenda 3231, Item 47 3/26/2009 (Staff);

Agenda 3232, Item 68 4/16/2009 (Staff);

Agenda 3233, Item 60 5/7/2009 (Staff);

Agenda 3234, Item 48 5/21/2009 (Staff);

Agenda 3235, Item 42 6/4/2009 (Staff)

Closed Session - Applications for Rehearing (continued)

53

[8590]

I07-01-022 - Conference with Legal Counsel - Application for Rehearing.

A06-09-006, A06-11-009, A06-11-010, and A07-03-019 - Related matters. Applications for rehearing of Decision (D) 08-02-036, filed by Consumer Federation of California and the Division of Ratepayer Advocates. D08-02-036 adopted eight settlements involving Class A water utilities regarding conservation rates, revenue adjustment mechanisms, modified cost balancing accounts, return on equity adjustment, a low-income assistance program, customer education and outreach, and data collection and reporting. D08-02-036 also approved a conservation memorandum account for extraordinary legal and regulatory expenses and endorsed the parties' efforts to resolve access for customers with disabilities in light of the adoption of conservation rate designs.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal**54**

[8594]

FERC Docket No. ER06-615 and Related Items - Conference with Legal Counsel - Existing Litigation

California Independent System Operator Corporation, FERC Docket No. ER06-615, also known as Market Redesign and Technology Update (MRTU).

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session